IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 5638 OF 2003 .

Smt. Chandralekha A.Shah ... Petitioner.
V/s.
Abhimanyu A. Allapurkar ... Respondents.

Shri N.V. Walawalkar with G.H. Geluskar for the petitioner.

Shri G.S. Godbole for the respondent.

CORAM : V.C.DAGA, J.

DATED : 22.12.2005.

P.C. :

. Heard learned Counsel for the petitioner.

2. Petitioner has suffered concurrent findings of fact. Both the Courts below have concurently recorded a finding that the plaintiff has proved bonadfide need of the suit premises. No case is made out to interfere withh the impugned order. The petition is, thus, dismissed in limine with no order as to costs.

3. At this stage,learned Counsel for the the petitioner sought time to vacate the suit premises. Learned Counsel for the respondent has no objection for grant of such time, subject to filing usual undertaking in this Court within 4 weeks from today. Accordingly, petitioner is granted 6 months time to vacate the suit premises subject to filing

undertaking in this Court within 4 weeks from today, to the effect that he shall vacate the suit premises after expiry of six months andthat he shall continue to pay agreed rent on or before 5th of every month during his stay, by way of occupation charges and that he shall not create any third party interest in respect of the suit premises. Failure on the part of the petitioner to file undertaking within the time prescribed, decree holder shall be at liberty to execute the decree in accordance with law.